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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 VAHAN JALADIAN,

No. CIV S-04-1304-LKK-CMK-P

12 Plaintiff,

13 vs.

ORDER

14 CRIBBS,

15 Defendants.  
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17 Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant  
18 to 42 U.S.C. § 1983. Pending before the court is the parties' stipulation to refer this matter to  
19 Magistrate Judge Vadas' Pro Se Settlement Program. Pursuant to that stipulation, the parties  
20 believe this case can be resolved in settlement conference and are requesting such a referral.  
21 This request will be granted.

22 The parties also request to continue the trial date in this matter, currently set for  
23 March 17, 2009. A trial confirmation hearing was held on February 11, 2008. Therefore, the  
24 parties are only awaiting trial in this matter. The parties are attempting to be put on the January  
25 2009 calendar for the settlement conference with Judge Vadas. If they are successful in  
26 obtaining that date, there will be no need to continue the trial date. Either the matter will settle

1 during the settlement conference or the case can proceed to trial as planned. The current request  
2 for a continuance of the trial date will therefore be denied. If, however, the parties are not able to  
3 obtain a January 2009 settlement conference date, defense counsel shall so notify the court  
4 immediately upon obtaining a different date. The court may then entertain another request to  
5 continue the trial date. The parties will also be required to submit status reports following the  
6 settlement conference informing the court of the status of the case including whether the  
7 settlement conference was successful or whether this case will proceed to trial.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. This matter is referred to Magistrate Judge Vadas' Pro Se Settlement  
10 Program;
- 11 2. The request for a continuance of the trial date is denied;
- 12 3. Defense counsel shall immediately notify the court if this matter is not  
13 placed on Judge Vadas' January 2009 settlement calendar; and
- 14 4. Within 10 days of the completion of the settlement conference, the parties  
15 shall submit status reports to the court.

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17 DATED: December 22, 2008

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19 **CRAIG M. KELLISON**  
20 UNITED STATES MAGISTRATE JUDGE  
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